THE HON'BLE SRI JUSTICE L.NARASIMHA REDDY

W.P.No.307 of 2006

Date:06.01.2006

Between:

M.Anthony, Hc/TP,

S/o.Kishan, 49 years, R/o.B-28,

Type-II Special, Group Centre,

Central Reserve Police Force,

Chandrayangutta, Hyderabad. … petitioner.

And

1. Inspector General of Police,

CRPF, C.G.O.Comples, Lodhi Road,

New Delhi.

2. Deputy Director (Communications)

Directorate General,

CRPF, New Delhi.

3. The Commandant,

2 Signal Battalion,

Group Centre, CRPF,

Chandrayangutta, Hyderabad. …. Respondents.

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ORDER:

The petitioner is working as Head Constable in Central Reserve Police Force. At present, he is in the group center at Chandrayangutta, Hyderabad. He challenges the order dated 17.8.2005 through which he was transferred to unit No.110 Nizamabad.

Petitioner states that he is suffering with Hepatitis-B disease and that the treatment for the same is available only at Nizam's Institute of Medical Sciences (NIMS), Hyderabad. He contends that if he is transferred to a distant place, he may not be able to avail the medical facilities.

The learned Assistant Solicitor General, appearing for the respondents submits that the petitioner was under the mistaken impression that he was transferred to far of place of Mizoram, where as his transfer is to Nizamabad. He contends that the transfer is effected only after reviewing the health condition of the petitioner and that no exception can be taken to it.

The petitioner is serving a para-military force. Interference with the orders of transfer

in such Force is very rare. Be that as it may, the petitioner was under the impression that he was transferred to Mizoram since the name of place was not mentioned in the order of transfer. However, the learned counsel for respondents categorically states that the transfer of the petitioner is to Nizamabad, which is hardly at a distance of 150 kms., from Hyderabad. Even assuming that if the petitioner is required to receive treatment at NIMS, he can avail the same even while working at Nizamabad. It cannot be imagined that the respondents do not take adequate care of the health of the petitioner.

For the foregoing reasons, the writ petition is disposed of granting one Week time for the petitioner to move to the transferred place. It is made clear that in case the health condition of the petitioner requires his being posted at Hyderabad, it shall be open to him to make appropriate representation.

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06.01.2006.

Note:

Issue c.c. in two days.

B/o.

Mdaa.